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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/780,169	02/17/2004	David J. Waller	200311815-1	1264
22879 7590 09/03/2009 HEWLETT-PACKARD COMPANY Intellectual Property Administration 3404 E. Harmony Road Mail Stop 35 FORT COLLINS, CO 80528			EXAMINER UHLENHAKE, JASON S	
			ART UNIT 2853	PAPER NUMBER
			NOTIFICATION DATE 09/03/2009	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/780,169

Applicant(s)

WALLER ET AL.

Examiner

JASON S. UHLENHAK

Art Unit

2853

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 June 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-46, 48-51 and 53-56 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-45, 55 and 56 is/are allowed.
- 6) ☒ Claim(s) 46, 48, 49 and 51 is/are rejected.
- 7) ☒ Claim(s) 50, 53-54 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 46, 48-49 are rejected under 35 U.S.C. 102(b) as being anticipated by Simmons et al (U.S. Pub. 2003/0001921).

Simmons discloses:

- ***regarding claim 46***, a printing mechanism including a print head (located on carriage), comprising: means for translating (idler gear) a means for servicing the print head (service station), the means for translating biased to move from a translating position to a non-translating position out of contact with the means for servicing (Figure 8; Paragraph 0029)

- the means for servicing the print head, the means for servicing including means for retaining the means (gear for the means for servicing: gear mesh to provide power to the service station) for translating in engagement and contact with the means for servicing in a predetermined zone of engagement of the means for retaining and comprising means for shifting the means for translating between the translating position and non-translating position, the means for shifting biased to translate the means for translating into the disengaged position in the absence of an external force on the

means for shifting. The idler gear will move to a non-translating position once the carriage moves away from the idler gear (Figure 8; Paragraph 0029)

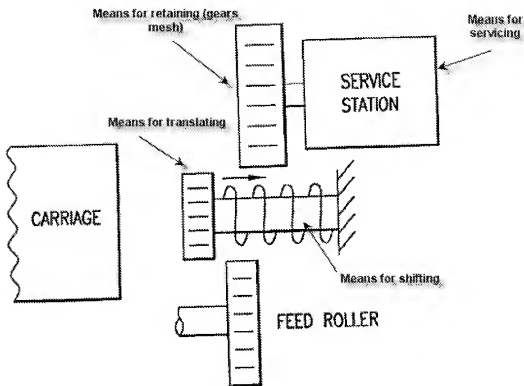


FIG.8

- **regarding claims 48**, wherein the print head is configured to selectively actuate the means for shifting by advancing into and out of contact with the means for shifting (Figure 8; Paragraph 0029)

- **regarding claim 49**, means for powering the means for translating, wherein the means for translating engaged the means for servicing and the means for powering in the translating position (Paragraph 0029)

- **regarding claim 51**, a method of actuating a servicing mechanism to service a print head comprising: translating a translation device (idler gear) into engagement with a first region (portion of gear of the service station) of a servicing mechanism; and powering the translation device such that the servicing mechanism is moved with respect to the translation device (idler gear) and such that a second region (different portion of the gear of the service station) of the servicing mechanism is moved into engagement with the translation device (idler gear), the second region retaining (gears mesh) the translation device in contact with the servicing mechanism (Figure 8; Paragraph 0029).

- wherein the step of translating the translation device comprises moving a print head carriage into contact with an actuation device (shaft for the idler gear) so as to move the actuation device from a non-actuated condition (not in contact with gear of the service station) to an actuated condition (in contact with the gear of the service station), wherein movement of the actuation device from the non-actuated position to the actuated position moves the translation device from a disengaged position into engagement with the first region of the servicing mechanism (Figure 8; Paragraph 0029)

Allowable Subject Matter

Claims 50, 53-54 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 1-45, 51, 55-56 are allowed.

The following is a statement of reasons for the indication of allowable subject matter:

The primary reason for the allowance of claims 1-12 and 30 is the inclusions of the limitation of an axially movable driveshaft include a gear; and a sled including first and second engagement structures each adapted to selectively engage the gear and a retaining structure positioned between the first and second engagement structures. It is this limitation found in each of the claims, as it is claimed in the combination, that has not been found, taught or suggested by the prior art of record which makes these claims allowable over the prior art.

The primary reason for the allowance of claims 13-19 is the inclusions of the limitation of first and second sleds; a servicing station drive structure movable between a disengaged position, a first engaged position, and a second engaged position, said drive structure in the first engaged position engaging the first engagement structure and said drive structure in the second engaged position engaging the second engagement structure; and a biasing member that biases the servicing station drive structure to move from the first engaged position to the second engaged position. It is this limitation found in each of the claims, as it is claimed in the combination, that has not been found,

taught or suggested by the prior art of record which makes these claims allowable over the prior art.

The primary reason for the allowance of claims 20-23 is the inclusions of the limitation of means for translating the means for servicing the print head, the means for translating operable to move from a first translating position in engagement with the first means for engaging to a second translating position in engagement with the second means for engaging. It is this limitation found in each of the claims, as it is claimed in the combination, that has not been found, taught or suggested by the prior art of record which makes these claims allowable over the prior art.

The primary reason for the allowance of claims 24-28 is the inclusion of the method step of powering the translation device such that the first servicing mechanism is moved with respect to the translation device to translate the retaining region such that the translation device is positioned out of the retaining region; and translating the translation device into engagement and contact with a second region of a second servicing mechanism such that the second servicing mechanism is moved with respect to the translation device. It is this step found in each of the claims, as it is claimed in the combination, that has not been found, taught or suggested by the prior art of record which makes these claims allowable over the prior art.

The primary reason for the allowance of claim 29 is the inclusion of the limitation of a printer comprising a servicing sled positioned within the servicing region and including a spittoon, a wiper, a cap, first and second racks and a guide wall positioned between the racks, the guide wall including a retaining region and an access region; a

servicing sled drive shaft powered by the feed roller drive shaft, the servicing sled drive shaft including a gear slidably mounted thereon, and a biasing member secured to the shaft and the gear, the servicing sled drive shaft movable between a disengaged position where the gear is not in contact with the servicing sled and an engaged position where the gear is movable between contact with the first rack and second rack; wherein the biasing member biases the gear to move from the first rack to the second rack when the gear is aligned with the access region of the guide wall and wherein the retaining wall retains the gear on the first rack when the gear is positioned adjacent the retaining region of the guide wall. It is this limitation found in each of the claims, as it is claimed in the combination, that has not been found, taught or suggested by the prior art of record which makes these claims allowable over the prior art.

The primary reason for the allowance of claims 31-41, 55-56 is the inclusions of the limitation of a sled including a rack gear, wherein the driveshaft is axially shiftable from a disengaged position in which the pinion gear is out of contact with the rack gear to an engaged position in which the pinion gear is in meshing contact with the rack gear. It is this limitation found in each of the claims, as it is claimed in the combination, that has not been found, taught or suggested by the prior art of record which makes these claims allowable over the prior art.

The primary reason for the allowance of claims 42-45 is the inclusions of the limitation of a sled including an engagement structure; the driveshaft moveable between an engaged position and a disengaged position, the driveshaft in the engaged position engaging the power shaft and the engagement structure of the sled so as to transmit

power from the power shaft to the sled. It is this limitation found in each of the claims, as it is claimed in the combination, that has not been found, taught or suggested by the prior art of record which makes these claims allowable over the prior art.

The primary reason for the allowance of claims 51, 53-54 is the inclusion of the method step of translating the translation device comprised moving a print head carriage into contact with an actuation device so as to move the actuation device from a non-actuated condition to an actuated condition, wherein movement of the actuation device from the non-actuated position to the actuated position moves the translation device from a disengaged position into engagement with the first region of the servicing mechanism. It is this step found in each of the claims, as it is claimed in the combination, that has not been found, taught or suggested by the prior art of record which makes these claims allowable over the prior art.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JASON S. UHLENHAKKE whose telephone number is (571)272-5916. The examiner can normally be reached on Monday-Friday 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Meier can be reached on (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/JASON S UHLENHAKE/
Examiner, Art Unit 2853
August 31, 2009

/Julian D. Huffman/
Primary Examiner, Art Unit 2853